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Promotion and protection of human rights: Implementation of human rights instruments

Letter dated 30 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement delivered by the representative of the Russian Federation during the sixteenth meeting of States parties to the Convention on the Rights of the Child under the agenda item on other matters (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the seventieth session of the General Assembly under agenda item 72 (a).

(*Signed*) P. **Ilichev**
Chargé d'affaires ad interim

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Annex to the letter dated 30 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

Statement delivered by the representative of the Russian Federation on 30 June 2016 during the sixteenth meeting of States parties to the Convention on the Rights of the Child under the agenda item on other matters

Under this agenda item, I would like to comment briefly on certain aspects of the work of the Committee on the Rights of the Child. As at meetings of States parties under other international human rights treaties held earlier this month, our comments are based on our own experience of interaction with the Committee.

The Russian Federation attaches great importance to the effective functioning of the human rights treaty body system. We believe that this is contingent upon the scrupulous observance by the treaty committees of their mandate, and also upon their willingness and ability to develop a constructive and mutually respectful dialogue with States parties.

Regrettably, we are forced to conclude that the Committee on the Rights of the Child, like other treaty bodies, is remiss in that it all too often departs from its core mission to assist States in meeting their obligations under the Convention on the Rights of the Child. Some of the recommendations made by the experts following the consideration in January 2014 of the combined fourth and fifth periodic reports of the Russian Federation on implementation of the Convention (such as the suggestions that the law on the financing of non-governmental organizations should be repealed; that the responsibility of the business sector should be strengthened; and that the interests of sexual minorities should be protected), and also of its initial report under the Optional Protocol to the Convention, relating to the involvement of children in armed conflict, in particular, the recommendation that the policy on the arms trade should be reviewed, clearly exceed the authority of the Committee.

An explanation is needed for the practice of working in two chambers, which remains in force to this day, even though it was introduced as a temporary measure to clear the backlog of periodic reports awaiting consideration by the Committee. Concern is caused not so much by the lack of even a semblance of geographical balance, but by the impossibility of achieving an equitable distribution of the expertise of the members of the Committee.

It is our belief that the practice of closed meetings between the Committee on the Rights of the Child and civil society institutions during the pre-session preparations is inconsistent with the principles of openness and impartiality of the work of the treaty bodies. We urge the Committee to follow, in particular, the experience of the Committee on the Elimination of Racial Discrimination or the Committee on the Elimination of Discrimination against Women and to make such meetings open to all.

Serious concerns are raised by so-called working methods for the participation of children in the reporting process of the Committee on the Rights of the Child, adopted by the Committee in 2014 (CRC/C/66/2).

We would like to express our appreciation to the Committee for its attention to General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system. In that connection, we welcome the Committee's decision No. 11 of 19 September 2014, in follow-up to the resolution, to reduce the word length of concluding observations by 20 per cent. We urge the Committee to continue its work in this area, with a view to bringing its activities into line with the provisions of resolution 68/268.

At the same time, we would like to request more information on the decision reproduced in the same document to appoint a member of the Committee as rapporteur on reprisals. How, we wonder, does this initiative tally with the guidelines against intimidation and reprisals against those cooperating with United Nations entities — the so-called San Jose Guidelines? We appear here to be faced with an overly bureaucratic approach and the failure by the Committee to perform its core duties — to monitor the implementation of the Convention on the Rights of the Child by its States parties.

In conclusion, we call upon the Committee to take a more responsible approach to the issue of aligning itself with the joint statements of the various special procedures of the Human Rights Council and the treaty bodies. For example, we take a dim view of the Committee associating itself with a statement of 13 May 2015 on ending discrimination against lesbian, gay, bisexual, transsexual and intersex young people and children. We take the position that the legal framework furnished by the Convention and its optional protocols should constitute the principal criterion for the Committee's participation in such initiatives.

For our part, we remain ready to continue our dialogue with the Committee and other States parties to the Convention on the full range of issues relating to the effective implementation of this international instrument, including improvement of the working methods of the Committee.